

### **REMARKS/ARGUMENTS**

In the Final Office Action mailed March 27, 2008, claims 1, 5, 6, 10, 11 and 15-29 were rejected by the Examiner. Claims 1, 6, 11 and 23 have been amended. The amendments further clarify the invention and do not present new matter.

Applicants have thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references.

### **CLAIM REJECTIONS – 35 U.S.C. §112**

The Examiner rejected claims 6 and 23 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Applicants have amended claim 23 in order to clearly define the relationship between the vehicle diagnostic equipment and the means for receiving. Withdrawal of the rejection is respectfully requested.

### **CLAIM REJECTIONS – 35 U.S.C. §103(a)**

The Examiner rejected claims 1, 5, 6, 10, 11 and 15-29 under 35 U.S.C. §103(a) as being unpatentable over Li (US 2002/0072808; “Li”) in view of Kirkevold *et al.* (US 6,263,322; “Kirkevold”). The Office states that Li discloses a system where a user can enter information concerning a vehicle and the system then analyze that information to give a diagnosis of what may be wrong with the vehicle. The Office further states that Li discloses that the system can determine the warranty status of the vehicle based on the diagnosis of the problem.

The Office is correct in that Li does disclose a system that provides a prognosis of the problem and determines if the service solution would be covered under a warranty. Specifically, Li discloses that a dialog manager is used for collecting service information about a vehicle from a user. (Abstract). The dialog manager receives diagnostic input either from the customer who may report that the vehicle pulls to the right or that the car is experiencing low gas mileage or from a service associate of the service requested. (Pg. 4, par. 56 and pg. 2, par. 44). A case based reasoning module analyzes the service information to determine a pre-diagnosis. (Pg. 2, par. 40). A repair processing module allows for the administration of the warranty-specific service based on the pre-diagnosis and the service information. (Pg. 2, par. 41). It is important to note that the diagnostic information is received from the customer or from the service associate and not from the vehicle diagnostic equipment. Additionally, since the vehicle diagnostic information is received from a source other than the vehicle diagnostic equipment, the Li system can only provide a pre-diagnosis and not what is actually wrong with the vehicle. Thus, the Li system can cause delays in returning the vehicle to the vehicle's owner as the pre-diagnosis may not be the correct diagnosis and the correct diagnosis' service solution may not be covered under warranty while the pre-diagnosis' service solution was.

The Office states that although Li does not disclose that the diagnostic information is received directly from diagnostic equipment, that Kirkevold discloses diagnostic equipment that analyzes data taken from vehicles to diagnose a problem. Further, the Office states that it would have obvious to modify Li so that data concerning vehicle problems can be received directly from the diagnostic equipment.

Li's system is not designed to retrieve diagnostic directly from the vehicle. The Li's system includes a dialog manager that collects service information regarding the vehicle from the

user (customer or service associate). Figures 7-9 and others show that the dialog managers require the information to be manually inputted by hand and not via a vehicle diagnostic system. Additionally, the Li system is designed to provide pre-diagnosed data and not actual diagnosis.

As shown above, Li alone or in combination with Kirkevold do not teach or suggest a method for providing vehicle information for use in servicing a vehicle that includes at least the steps of “entering vehicle identification information into a computerized system by a mechanic; receiving vehicle diagnostic information into the computerized system directly from a vehicle diagnostic equipment operated by the mechanic”; and “determining a diagnosis based on the vehicle diagnostic information received from the vehicle diagnostic equipment as a result of the comparison,” as recited by claim 1. Li alone or in combination with Kirkevold do not teach or suggest a system for providing vehicle information for use in servicing a vehicle that includes at least “means for entering configured to enter vehicle identification information into the system by a mechanic; means for receiving configured to receive vehicle diagnostic information into the system directly from a vehicle diagnostic equipment operated by a mechanic” and “the means for comparing determines a diagnosis based on the vehicle diagnostic information received from the vehicle diagnostic equipment as a result of the comparison,” as recited in claim 6. Similarly, Li alone or in combination with Kirkevold do not teach or suggest a system for providing vehicle information for use in servicing a vehicle that includes at least “a data input configured to receive vehicle diagnostic data directly from a vehicle diagnostic equipment operated by a mechanic,” and “a microprocessor that configured to compare compares the vehicle diagnostic data received through the vehicle diagnostic equipment with reference diagnostic information from the database and to determine a diagnosis based on the vehicle diagnostic information received from


the vehicle diagnostic equipment as a result of the comparison,” as recited in claim 11.  
Withdrawal of the rejections is respectfully requested.

Claims 5 and 20 depend directly or indirectly from claim 1, claims 10, 21-25 depend directly or indirectly from claim 6 and claims 15-19 and 26-29 depend directly or indirectly from claim 11 are thus also believed to be patentable. Withdrawal of the rejections is respectfully requested.

### **CONCLUSION**

In view of the foregoing remarks, Applicants respectfully request that all the objections and rejections to the claims be removed and that the claims pass to allowance. If, for any reason, the Examiner disagrees, please call the undersigned attorney at 202-861-1610 in an effort to resolve any matter still outstanding before issuing another action. The undersigned Attorney is confident that any issue which might remain can readily be worked out by telephone.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to our Docket No. 87354.1581.

Respectfully submitted,  
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